

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JAMES MICHAEL GALLEGOS,

Plaintiff,

vs.

No. CIV 14-0551 JB/CEG

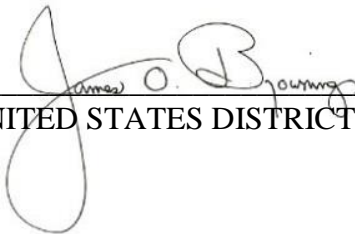
DENIS MARES and GERMAN FRANCO,

Defendants.

ORDER OF DISMISSAL

THIS MATTER comes before the Court on the Motion to Dismiss, filed December 31, 2014 (Doc. 8)(“MTD”). In the MTD, Plaintiff James Gallegos states that he is “unable to proceed” and asks the Court to “dismiss without prejudice the suit against the Defendants.” MTD at 1. As no Defendant has submitted either an answer or a motion to dismiss, Gallegos may dismiss his case voluntarily, without a court order. See Fed. R. Civ. P. 41(a)(1)(A)(i). The Court will, thus, grant the MTD and dismiss Gallegos’ case and claims without prejudice.

IT IS ORDERED that the Motion to Dismiss, filed December 31, 2014 (Doc. 8), is granted, and Plaintiff James Gallegos’ case and claims are dismissed without prejudice.


UNITED STATES DISTRICT JUDGE

Party:

James Michael Gallegos
Penitentiary of New Mexico, Santa Fe
Santa Fe, New Mexico

Plaintiff pro se